



Department
for Education

Bishopsgate House
Feethams
Darlington
DL1 5QE

The Proprietor
St Mary's Independent School
Midanbury Lane
Bitterne Park
Southampton
Hampshire
SO18 4DJ

Direct line: [REDACTED]

registration.enquiries@education.gov.uk

Our ref: [REDACTED]

23 May 2018

Dear Proprietor

I refer to the inspection by Her Majesty's Chief Inspector of Education, Children's Services and Skills that was carried out at the above school under section 109 of the Education and Skills Act 2008 between 13 and 15 March 2018. You will see from the enclosed report that Ofsted noted serious regulatory failings.

Taking account of the report, the Secretary of State is satisfied, pursuant to section 114(1) of the Education and Skills Act 2008, that any one or more of the independent school standards¹ is or are not being met in relation to the school.

In these circumstances I enclose a Notice, served by the Secretary of State for Education under section 114(5) of the 2008 Act, requiring an Action Plan which details the steps that will be taken to meet all of the standards set out in the Annex to the Notice and the time by which each step will be taken, to be submitted by 25 June 2018.

You are reminded that the independent school standards require that a copy of the inspection report is sent to parents and a copy is published on the school's website or, where no such website exists, is provided to parents on request. This will be checked at the next inspection.

The Action Plan must contain reasonable timescales for implementation within which the necessary action will be taken and it is expected that the implementation dates given in the Action Plan should not extend beyond 28 August 2018. A template and supporting advice is enclosed which may help you in drawing up a satisfactory Action Plan.

The deadline by which the Action Plan must be received by me is 25 June 2018. If this date is not met, the Secretary of State may remove the school from the Register of Independent Schools or may impose a requirement restricting the school's operations (from a date following the period during which you may appeal).

¹ [The Education \(Independent School Standards\) Regulations 2014 \(SI 2014/3283\)](#)

I must warn you that the Secretary of State may reject an Action Plan, and in these circumstances the Secretary of State may remove the school from the Register of Independent Schools or may impose a requirement restricting the school's operations (from a date following the appeal period).

If an Action Plan is accepted, Ofsted may be asked to visit the school again to check that the school has fully implemented the plan and that it is fully meeting the independent school standards.

You may wish to note that this letter, the enclosed Notice and Annex(es) will be published shortly on the Gov.uk website.

Yours faithfully



Independent Education and Boarding Team

SECTION 114(5) OF THE EDUCATION AND SKILLS ACT 2008

NOTICE BY THE SECRETARY OF STATE FOR EDUCATION

IN RELATION TO

St Mary's Independent School
Midanbury Lane
Bitterne Park
Southampton
Hampshire
SO18 4DJ

(“the School”)

WHEREAS

The Secretary of State for Education, being the keeper of the register of independent schools in England² –

- (i) has taken into account a report in respect of an inspection of the School by Her Majesty's Chief Inspector of Education, Children's Services and Skills, which was conducted between 13 and 15 March 2018; and
- (ii) is satisfied that the independent school standards, as prescribed in the Education (Independent School Standards) Regulations 2014, specified in the Annex to this Notice are not being met in relation to the School.

NOW THEREFORE

In exercise of the power conferred upon him by section 114(5) of the Education and Skills Act 2008, the Secretary of State serves the following Notice on the proprietor of the School:

(1) the independent school standards set out in the Annex to this Notice are not being met in relation to the School; and

(2) the proprietor of the School is required to submit an action plan³ to the Secretary of State specifying the steps that will be taken to meet the standards, and the time by which each step will be taken, on or before 25 June 2018.


Independent Education and Boarding Team

Date

² The Secretary of State is required to keep a register of independent educational institutions in England under section 95(1) of the Education and Skills Act 2008. “Independent educational institution” is defined in section 92(1) of that Act as an independent school and an independent provider of part-time education. Independent providers of part-time education are not currently regulated so effectively the requirement under section 95(1) is for the Secretary of State to keep a register of independent schools.

³ An action plan is defined in section 114(4) of the Education and Skills Act 2008.

ANNEX TO NOTICE

St Mary's Independent School
Midanbury Lane
Bitterne Park
Southampton
Hampshire
SO18 4DJ
("the school")

The following independent school standards, as prescribed in the Schedule to the Education (Independent School Standards) Regulations 2014, are not being met in relation to the school:

PART 3: Welfare, health and safety of pupils

The standards about the welfare, health and safety of pupils at the school are those contained in this Part.

11. The standard in this paragraph is met if the proprietor ensures that relevant health and safety laws are complied with by the drawing up and effective implementation of a written health and safety policy.
12. The standard in this paragraph is met if the proprietor ensures compliance with the Regulatory Reform (Fire Safety) Order 2005⁴.

PART 5: Premises of and accommodation at schools

The standards about the premises of and accommodation at the school are those contained in this Part.

24. (1) The standard in this paragraph is met if the proprietor ensures that suitable accommodation is provided in order to cater for the medical and therapy needs of pupils, including—
 - (a) accommodation for the medical examination and treatment of pupils;
 - (b) accommodation for the short term care of sick and injured pupils, which includes a washing facility and is near to a toilet facility.

(2) The accommodation provided under sub-paragraphs (1)(a) and (b) may be used for other purposes (apart from teaching) provided it is always readily available to be used for the purposes set out in sub-paragraphs (1)(a) and (b).

⁴ S.I. 2005/1541, to which there are amendments not relevant to these Regulations.

25. The standard in this paragraph is met if the proprietor ensures that the school premises and the accommodation and facilities provided therein are maintained to a standard such that, so far as is reasonably practicable, the health, safety and welfare of pupils are ensured.

PART 7: Manner in which complaints are handled

33. The standard about the manner in which complaints are handled is met if the proprietor ensures that a complaints procedure is drawn up and effectively implemented which deals with the handling of complaints from parents of pupils and which—

(i) provides for the panel to make findings and recommendations and stipulates that a copy of those findings and recommendations is—

(ii) available for inspection on the school premises by the proprietor and the head teacher;

(j) provides for a written record to be kept of all complaints that are made in accordance with sub-paragraph (e) and—

(i) whether they are resolved following a formal procedure, or proceed to a panel hearing; and

(ii) action taken by the school as a result of those complaints (regardless of whether they are upheld).

PART 8: Quality of leadership in and management of schools

34. (1) The standard about the quality of leadership and management is met if the proprietor ensures that persons with leadership and management responsibilities at the school—

(a) demonstrate good skills and knowledge appropriate to their role so that the independent school standards are met consistently;

(b) fulfil their responsibilities effectively so that the independent school standards are met consistently.